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20231, on Sept. 10, 1995

LUD 5353-JEL/NDH

FELE & LYNN

BY harmath

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Beatrice Gaugler, et al.
Serial No. : 08/037,230
Filing Date : March 26, 1993
For : ISOLATED NUCLEIC ACID MOLECULES CODING
FOR TUMOR REJECTION ANTIGEN PRECURSOR
MAGE-3 AND USES THEREOF
Group Art Unit : 1813
Examiner : A. Caputa

September 19, 1995

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

PETITION UNDER 37 C.F.R. §1.48(b)

S I R :

Applicants hereby petition to delete Beatrice Gaugler as an
inventor.

Gaugler's invention is no longer being claimed in the
application.

Enclosed is the fee required for a petition under 37 C.F.R.
§1.48(b). According to 37 C.F.R. §1.17(h), this is \$130.00.
Kindly make appropriate adjustment to Deposit Account 06-0530 if
this is not the correct amount.


LUD 5352-JEL/NDH

Favorable action on this petition is requested.

Respectfully submitted,

FELFE & LYNCH

By


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Serial Number: 08/037,230
Art Unit: 1806

Part III DETAILED ACTION

1. It is requested by the Examiner that all future correspondence be directed to Art Unit 1806 and not Art Unit 1813.

2. Applicants' amendments and petition to correct inventorship were received 9/22/95. Claims 3 and 10-21 have been cancelled. Claims 1, 2, and 4-9 are pending.

3. In view of the papers filed 9/22/95 (Papers Nos 18 and 20), it has been found that this application, as filed, through error and without any deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 C.F.R. § 1.48. The inventorship of this application has been changed by the deletion of Beatrice Gaugler.

4. The text of those sections of Title 35 U.S.C. not included in this Action can be found in a prior Office Action.

Objections/Rejections Withdrawn

5. The prior rejection of claims 1, 2, 4, 5, and 7 under the judicially created doctrine of double patenting over claims 4, 5, and 14 of U.S. Patent No. 5,342,774 (Boon et al.) is withdrawn in view of applicants arguments.

6. The prior rejection of claims 1, 2, and 4 under 35 U.S.C. § 112, second paragraph, is withdrawn in view of applicants' amendment.

7. The prior rejection of claims 7-9 under 35 U.S.C. § 112, first paragraph is withdrawn in view of applicants' amendment.